

Form and Correctness Approved: *BAP*
By Daniel B. Hagemister
Office of the City Attorney

NORFOLK, VIRGINIA

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

Contents Approved:
By Marcus Jones
DEPT.

851,469,200.00
acting Director of Finance *on*
Account GENERAL FUND/
VARIOUS FUNDS
5/14/04
Date

ORDINANCE No. 41,408

R-6

AN ORDINANCE APPROPRIATING FUNDS FOR OPERATION OF THE CITY FOR FISCAL YEAR 2004-2005; IMPOSING OR INCREASING CERTAIN TAXES OR FEES; AUTHORIZING A SUPPLEMENT TO RETIREES; AND REGULATING THE PAYMENT OF MONEY FROM THE CITY TREASURY.

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WHEREAS, the City Manager, has submitted to the Council a proposed annual budget for the City for the fiscal year beginning July 1, 2004 and ending June 30, 2005 which has been amended by the Council, and it is necessary to make appropriations sufficient to fund said budget and to regulate the payment of money from the City treasury; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- The amounts shown herein aggregating, Seven Hundred Million, Six Hundred Seven-Ten Thousand, Six Hundred Dollars (\$700,617,600) for the Operating Budget, Seventy-Two Million Four Hundred Fifteen Thousand Dollars (\$72,415,000), for the Water Utility Fund, Twenty-One Million Two Hundred Twelve Thousand, Seven Hundred Dollars (\$21,212,700), for the Wastewater Utility Fund, Seven Million, Three Hundred Ninety Three Thousand Dollars (\$7,393,000) for the Storm Water Utility Fund, Twenty Million, Nine Hundred Sixty-Five Thousand, One Hundred Dollars (\$20,965,100) for the Parking Facilities Fund, Two Million, Forty-Three Thousand, Eight Hundred Dollars (\$2,043,800),

for the Cemetery Services Fund, Five Million, Nine Hundred Forty-Six Thousand, Five Hundred Dollars (\$5,946,500), for the Emergency Operations Center Fund, One Million, Nineteen Thousand, Two Hundred Dollars (\$1,019,200), for the Golf Operations Fund, Four Million, Five Hundred Forty-Six Thousand, Four Hundred Dollars (\$4,546,400) for the National Maritime Center Fund, Four Million, Seven Hundred Eighty-Seven Thousand, Three Hundred Dollars (\$4,787,300) for the Public Amenities Fund, One Million, Four Hundred Six Thousand Dollars (\$1,406,000) for the Towing and Storage Service Fund, Nine Million, One Hundred Sixteen Thousand, Six Hundred Dollars (\$9,116,600) for the Internal Services Fund, or so much thereof as may be necessary, as set forth in annual budget for the fiscal year July 1, 2004 - June 30, 2005, submitted by the City Manager and as amended by the Council and hereby adopted, are hereby appropriated, subject to the conditions hereinafter set forth in this ordinance, from the revenues of the City from all sources for the fiscal year July 1, 2004 - June 30, 2005, for the use of the several departments and funds established within the City Government, and for the purposes hereinafter set forth in said annual budget for the fiscal year July 1, 2004 - June 30, 2005 as follows:

Legislative	3,480,600
Executive	1,810,600
Department of Law	3,223,400
Constitutional Officers	4,846,300
Finance	2,930,300
Department of Human Resources	3,228,700
Courts and Court Support	8,071,800
Sheriff and Detention	29,542,100
Department of Public Health	5,521,500
Department of Human Services	63,363,600
Department of Public Works	33,346,200
Neighborhood & Leisure Services	15,887,200
Education	283,351,800
Department of Libraries	6,545,900
Elections	547,600
Department of Planning	4,632,500
Department of Civic Facilities	5,733,500
Non-Departmental Appropriations	17,426,000

Outside Agencies	24,796,900
Department of Police	54,458,100
Department of Fire-Rescue	32,900,200
Virginia Zoological Park	3,230,500
Debt Service	63,389,900
Department of Facilities & Enterprise Management	14,097,800
Budget & Management	644,100
Economic Development	1,933,900
Intergovernmental Programs	534,100
Communications & Public Relations	1,434,600
Department of Information Technology	9,272,600
Radio and Electronics	435,300
Total Appropriations - Operating Budget	\$700,617,600

Water Utility Fund	\$72,415,000
Total Appropriations - Water Utility Fund	\$72,415,000
Wastewater Utility Fund	\$21,212,700
Total Appropriation - Wastewater Utility Fund	\$21,212,700
Storm Water Utility Fund	\$7,393,000
Total Appropriations- Storm Water Utility Fund	\$7,393,000
Internal Service Funds	\$9,116,600
Total Appropriations- Internal Services Fund	\$9,116,600
Parking Facilities Fund	\$20,965,100
Total Appropriations - Parking Facilities Fund	\$20,965,100
Cemetery Services Fund	\$2,043,800
Total Appropriations - Cemetery Services Fund	\$2,043,800
Emergency Operations Center Fund	\$5,946,500
Total Appropriations - Emergency Operations Center Fund	\$5,946,500
Golf Operations Fund	\$1,019,200
Total Appropriations - Golf Operations Fund	\$1,019,200

National Maritime Center Fund	\$4,546,400
Total Appropriations - National Maritime Center Fund	\$4,546,400
Public Amenities Fund	\$4,787,300
Total Appropriations - Public Amenities Fund	\$4,787,300
Towing and Storage Services Fund	\$1,406,000
Total Appropriations - Towing and Storage Services Fund	\$1,406,000

Section 2:- Unless otherwise specified by Council, all taxes heretofore levied shall continue from year to year.

Section 3:- The salaries and wages set forth in detail in said annual budget, including the City Manager, as amended, for offices and positions which are not embraced within said compensation plan are hereby authorized.

The positions, except where the number thereof is not under the control of the Council, set forth in said annual budget, as amended, shall be the maximum number of positions authorized for the various departments, division, bureaus and funds of the City during the fiscal year July 1, 2004 - June 30, 2005 and the number thereof shall not be changed during said fiscal year unless authorized by the Council or City Manager pursuant to the Charter of the City of Norfolk and the City Code.

Changes in personnel occurring during said fiscal year in classifications embraced within the City's compensation plans shall be administered by the City Manager in accordance with the regulations for the administration of the plans.

In the event any personnel authorized in the preceding year's annual budget and appropriations are notified of release due to a reduction in force, reorganizations or work force downsizing or the staffing and organization redesign effort, such

positions are hereby authorized to continue in existence until such time as adopted procedures relating to reductions in force or work force downsizing, or the staffing and organizational redesign effort are completed and implemented in accordance with its terms and conditions. The City Manager is hereby authorized to continue all benefits and salaries throughout the period of employment from appropriated funds for the positions aforesaid, notwithstanding that said positions may or may not have been deleted in the departmental budget for the fiscal year 2004-2005.

The Council reserves the right to change at any time during said fiscal year the compensation, including pay supplements for constitutional officers, either before or after a change in basic salary is made by the State Compensation Board, and to abolish any office or position provided for in said annual budget, as amended, except such offices or positions as it may be prohibited by law from abolishing. The City Manager is authorized to make such rearrangements and reorganizations of positions and personnel services funds between the several departments, including funds named therein, as may best meet the uses and interests of the City.

No person shall acquire any vested interest in any supplement payable under this section beyond those actually paid.

Section 4:- That all payments from the appropriations provided for in this ordinance, including those from balances remaining on June 30, 2004, to the credit of appropriations for works, improvements or other objects which have not been completed or abandoned, except those works, improvements or other objects funded by Federal, State, or other organizational grants which are hereby encumbered, shall be made at such time as the City Manager may direct, unless otherwise specified by the Council. The City Manager is hereby authorized to apply for grants and awards during the fiscal year provided that adequate matching funds are in the budget; all such grants are subject to the appropriation of the Council once awarded. Any

associated special project or grant funded positions shall also be approved by the City Manager, subject to ratification by the Council.

Section 5:- That within the several departments, funds and activities, there are hereby appropriated sufficient amounts to cover the operation of all Internal Service Funds, including the Storehouse and Fleet Management. Charges for services assessed against said departments, funds and activities by the Internal Service Funds shall be accumulated in the appropriate internal service fund and expended to cover the operating costs of such funds as provided in the annual budget.

Section 6:- That the various amounts appropriated by this ordinance for the several groups, as set forth in said annual budget, as amended, are to be expended for the purposes designated by said groups, provided, however, that the City Manager or a designee may authorize the transfers between account groups within the same department, fund or activity of the City and a record of such transfers shall be maintained by the Director of Finance.

The City Manager is authorized to transfer from any department, fund or activity which has an excess of funds appropriated for its use of the balance of the fiscal year to any department, activity or fund all or any part of such excess, or to cause such transfers to be made; a record of all such transfers shall be maintained by the Director of Finance.

The City Manger shall provide to the City Council a mid-year budget update. Such mid-year budget update shall report the projected revenues and expenditures estimates for the entire fiscal year, receipt of unbudgeted revenues and other major changes to the adopted budget.

There is hereby authorized, in accordance with guidelines established by the City Manger, the execution of warrants for the disbursement of any cash in banks credited to the City's Corporate Account to meet any properly authorized and approved payment chargeable to any account of the City.

Section 7:- That subsection (2) of Section 37-81 of the Norfolk City Code, 1979, is hereby amended and reordained so as to read as follows:

- (2) Beginning on July 1, 2004, in addition to the supplements provided above, an additional supplement of one and a half percent (1.5%) shall be payable by the system to those retirees and their beneficiaries who were receiving city retirement payments as of December 31, 2002. The additional supplement shall be calculated by multiplying one and a half percent (1.5%) by the recipient's total benefit (base pension plus previous supplements, plus monthly adjustment). The right to receive this additional supplement shall hereby vest in the eligible recipients and their beneficiaries. Notwithstanding any provision to the contrary, the additional supplement shall be subject to the same terms and conditions as for the payment of the pension.

Section 8:- That subsection (a) of Section 24-215.1 of the Norfolk City Code, 1979, is hereby amended and reordained so as to read as follows:

- (a) There is hereby levied a tax of thirty-five dollars forty cents (\$35.40) per year, payable at a rate of two dollars ninety-five cents (\$2.95) per month, and imposed on each consumer for each telephone line serving such consumer, excluding federal, state, and local government agencies, of telephone service or services provided by any corporation providing telephone services in the city. The tax shall be payable each month and added to the monthly statements tendered for telephone service in an amount equal to two dollars ninety-five cents (\$2.95) per line serving each such customer of telephone service or services and shall

be paid to the company tendering the statement; the telephone company shall make remittance of the taxes collected by virtue of enactment of this section simultaneously with the remittance of the utility tax collected by such telephone company.

Section 9:- That subsection (a) of Section 41-21 of the Norfolk City Code, 1979, is hereby amended and reordained so as to read as follows:

- (a) One hundred twenty-eight dollars and ninety-six cents (\$128.96) per year for each single-family dwelling unit or dwelling units in multiple residences not exceeding four (4) families or dwelling units.

Section 10:- That Sections 12-266 - 12-269 and Sections 12-290.1, 12-290.3 and 12-290.4 of the Norfolk City Code, 1979, are hereby amended and reordained so as to read as follows:

Sec. 12-266. Charges for grave openings and closings--Mausoleum burials.

The charges for opening and closing graves for mausoleum burials in the city cemeteries shall be as follows:

- (1) Regular crypt--Public mausoleum--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$350.00.
- (2) Ash crypt--Public mausoleum--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$330.00.
- (3) Servicing burial--Private mausoleum--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$320.00.
- (4) Regular crypt--Public mausoleum--Monday through Friday, 4:00 p.m. to 5:00 p.m.,

Saturday 9:00 a.m. to 2:00 p.m.: the fee shall be \$475.00.

- (5) Ash crypt--Public mausoleum--Monday through Friday, 4:00 p.m. to 5:00 p.m., Saturday 9:00 a.m. to 2:00 p.m.: the fee shall be \$385.00.
- (6) Servicing burial--Private mausoleum--Monday through Friday, 4:00 p.m. to 5:00 p.m., Saturday 9:00 a.m. to 2:00 p.m.: the fee shall be \$440.00.
- (7) Regular crypt--Public mausoleum--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$575.00.
- (8) Ash crypt--Public mausoleum--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$440.00.
- (9) Servicing burials--Private mausoleum--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$570.00.

Sec. 12-267. Same--Ground burials.

The charges for opening and closing graves for ground burials in the city cemeteries shall be as follows:

- (1) Adult grave--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$750.00.
- (2) Child under 12 years--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$235.00. For a child 12 years or over, adult prices shall be charged.
- (3) Ash opening--Monday through Friday, 8:30 a.m. to 4:00 p.m.: the fee shall be \$315.00.
- (4) Adult grave--Monday through Friday, 4:00 p.m. to 5:00 p.m., Saturday 9:00

a.m. to 2:00 p.m.: the fee shall be \$925.00.

- (5) Child under 12 years--Monday through Friday, 4:00 p.m. to 5:00 p.m., Saturday 9:00 a.m. to 2:00 p.m.: the fee shall be \$295.00.
- (6) Ash opening--Monday through Friday, 4:00 p.m. to 5:00 p.m., Saturday 9:00 a.m. to 2:00 p.m.: the fee shall be \$420.00.
- (7) Adult grave--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$1,050.00.
- (8) Child under 12 years--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$345.00.
- (9) Ash opening--Saturday 2:00 p.m. to 5:00 p.m., Sunday and holidays: the fee shall be \$470.00.

Sec. 12-268. Charges for disinterments--
Mausoleums.

The charges for mausoleum disinterments at city cemeteries shall be as follows:

- (1) Regular crypt--Public mausoleum: \$575.00.
- (2) Ash crypt--Public mausoleum: \$440.00.

Sec. 12-269. Same--Ground.

The charges for ground disinterments at city cemeteries shall be as follows:

- (1) Adult: \$1,050.00.

(2) Child under 12 years: \$345.00. For a child 12 years or over adult prices shall be charged.

(3) Ashes: \$470.00.

Sec. 12-290.1. Prices for adult graves in city cemeteries.

Except as otherwise provided, the price of adult graves in Cedar Grove Cemetery, Elmwood Cemetery, Calvary Cemetery, Calvary Annex Cemetery, Hebrew Cemetery, West Point Cemetery and Riverside Memorial Park shall be Nine Hundred Thirty Dollars (\$930.00) per grave for graves requiring flush, ground level markers and one thousand fifty dollars (\$1,050.00) per grave for graves permitting upright markers. Except as otherwise provided, the price for adult graves in Forest Lawn Cemetery shall be one thousand dollars (\$1,000.00) per grave for graves requiring flush, ground level markers and one thousand one hundred fifty dollars (\$1,150.00) per grave for graves permitting upright markers.

Sec. 12-290.3. Special prices--Forest Lawn Cemetery.

Notwithstanding the provisions of section 12-290.1, the following prices shall be charged for lots and graves in Forest Lawn Cemetery:

(1) Lots 1 through 40 Pine Gardens III; Lots 344-369 Fir II; Lot 458, Lots 467 through 483, Lots 505 and 506, and Lots 529 through 571 Center Park North: \$1,200.00 per grave.

(2) Lots 393 through 410 in Block B and lots 397 through 414 in Block C of Tree of Life IV; lots 427 through 437 Pine Gardens III; lots 713 through 720 Fir Lawn II: \$2,000.00 per grave.

- (3) Lots 331 through 382 Fir II; lots 41 through 80 Pine Gardens III; lots 1 through 58 David's Garden III; lots 450 through 457, lots 459 through 466, lots 484 through 504 and lots 507 through 528 Center Park North: \$1,300.00 per grave.
- (4) Mausoleum sites: \$20.00 per square foot.
- (5) Ash niches: Holly Circle - \$1,380.00.

Sec. 12-290.4. Special prices--Magnolia Cemetery.

Notwithstanding the provisions of section 12-290.1, the following prices shall be charged for lots and graves in Magnolia Cemetery: \$1,050.00.

Section 11:- That Sections 13-60 - 13-65.1 of the Norfolk City Code, 1979, are hereby amended and reordained, repealing Section 13-65 and adding one new Section designated as 13-65.2 such sections to read as follows:

Sec. 13-60. Rental rates prescribed--SCOPE Arena.

- (a) Generally. For rental of the SCOPE Arena, the lessee shall pay one of the rates set out in this section.
- (b) Ticketed events. The rental rate for ticketed events (events subject to the city admissions tax) shall be nine (9) percent of the gross receipts, excluding taxes, but not less than five thousand dollars (\$5,000.00) except for co-promotion agreements under section 13-6.
- (c) Nonticketed events. The rental rate for nonticketed events shall be five thousand dollars (\$5,000.00) per day.

- (d) Conventions. The rental rate for conventions shall be two thousand five hundred dollars (\$2,500.00) per day.
- (e) Overtime rates. Hourly overtime rates for use which extends beyond the contract period shall be one thousand dollars (\$1,000.00) per hour.

Sec. 13-61. Same--Chrysler Hall.

- (a) Generally. For rental of Chrysler Hall, the lessee shall pay one of the rates set out in this section.
- (b) Ticketed events. The rental rate for ticketed events (events subject to the city admissions tax) shall be two thousand five hundred dollars (\$2,500.00) or nine (9) percent of the gross receipts, excluding taxes, whichever is greater.
- (c) Nonticketed events. The rental rate for nonticketed events shall be two thousand five hundred dollars (\$2,500.00) per day.
- (d) Conventions. The rental rate for conventions shall be one thousand two hundred fifty dollars (\$1,250.00) per day.
- (e) Overtime rates. Hourly overtime rates for use which extends beyond the contracted period shall be five hundred dollars (\$500.00) per hour.
- (f) Lower lobby use. The lower lobby use rate shall be five hundred dollars (\$500.00) per use.
- (g) Dress circle use. The dress circle use rate shall be one thousand dollars (\$1,000.00) per use.

Sec. 13-62. Same--Little Hall.

The rental rate for all events in Little Hall, except rehearsals, shall be two hundred dollars (\$200.00) per day or 9% of gross receipts, excluding taxes whichever is greater. The rental rate for rehearsals shall be one hundred dollars (\$100.00) per day.

Sec. 13-63. Same--Exhibition hall and meeting rooms.

(a) Daily rate for exhibit hall and areas. The daily rental rate for the exhibit hall and exhibit areas shall be as follows:

- (1) Exhibit hall, including exhibition hall lobby: \$2,500.00. If ticketed event, two thousand five hundred (\$2,500.00) vs. 9% of gross receipts, excluding taxes, whichever is greater.
- (2) Exhibit area "A": \$600.00.
- (3) Exhibit area "B": \$600.00.
- (4) Exhibit area "C": \$800.00.
- (5) Exhibit area "D": \$1,000.00.
- (6) Exhibition hall lobby: \$250.00.

(b) Daily rate for meeting rooms. The daily rental rate for meeting rooms shall be as follows:

- (1) M-1: \$150.00.
- (2) M-2: \$200.00.
- (3) M-3: \$250.00.
- (4) M-4: \$300.00.
- (5) All Meeting Rooms: \$600.00/per event day.

Sec. 13-64. Same--Harrison Opera House.

- (a) Generally. For rental of Harrison Opera House, the lessee shall pay one of the rates set out in this section.
- (b) Ticketed events. The rental rate for ticketed events (events subject to the city admissions tax) shall be one thousand five hundred dollars (\$1,500.00) or nine (9) percent of the gross receipts, excluding taxes, whichever is greater.
- (c) Nonticketed events. The rental rate for nonticketed events shall be one thousand five hundred dollars (\$1,500.00) per day.
- (d) Overtime rates. Hourly overtime rates for use which extends beyond the contracted period shall be three hundred dollars (\$300.00) per hour.
- (e) Lower lobby use. The lower lobby use rate shall be seven hundred fifty dollars (\$750.00) per day.
- (f) Upper lobby use. The upper lobby use rate shall be one thousand dollars (\$1,000.00) per day.

Sec. 13-64.1. Same--Wells Theatre.

- (a) Generally. For rental of the Wells Theatre, the lessee shall pay one of the rates set out in this section.
- (b) Ticketed events. The rental rate for ticketed events (events subject to the city admissions tax) shall be six hundred fifty dollars (\$650.00) or nine (9) percent of the gross receipts, excluding taxes, whichever is greater.

- (c) Nonticketed events. The rental rate for nonticketed events shall be six hundred fifty dollars (\$650.00) per day.
- (d) Overtime rates. Hourly overtime rates for use which extends beyond the contracted period shall be one hundred thirty dollars (\$130.00) per hour.
- (e) Lobby use. The lobby use rate shall be two hundred dollars (\$200.00) per use.

Sec. 13-65.1. Same--Harbor Park.

- (a) High school sports. For high school sports, for each event, five hundred dollars (\$500.00) or ten (10) percent of gross receipts from all activities, excluding city admissions taxes, whichever is greater.
- (b) Other uses. For all other uses, five thousand dollars (\$5,000.00) for each rental period or ten (10) percent of gross receipts, excluding city admissions tax, whichever is greater.
- (c) Nonticketed. The rental rate for nonticketed events shall be five thousand dollars (\$5,000.00) per day.
- (d) Conventions. The rental rate for conventions shall be two thousand five hundred dollars (\$2,500.00) per day.
- (e) Overtime rates. Hourly overtime rates for use of Harbor Park which extends beyond the contracted period shall be one thousand dollars (\$1,000.00) per hour.

Sec. 13-65.2. Same--Attucks Theater.

- (a) Ticketed uses. For all ticketed uses, seven hundred fifty dollars (\$750.00) for each rental period or nine (9)

percent of gross receipts, excluding city admissions tax, whichever is greater.

- (b) Nonticketed. The rental rate for nonticketed events shall be seven hundred fifty dollars (\$750.00) per day.
- (c) Lobby use. The lobby use rate shall be two hundred fifty dollars (\$250.00) per use.
- (d) Lower and upper meeting rooms. The rate for lower and upper meeting rooms shall be one hundred dollars (\$100.00) per use.

Section 12:- That the Clerks of the Norfolk Circuit Court, General District Court and Juvenile and Domestic Relations Court are hereby authorized to collect a fee of \$1.00 from each defendant convicted of a felony, misdemeanor or traffic charge written under either the City Code or the Virginia Code to be used to support the Norfolk Police Academy and Training Division as permitted by state law. This fee shall be referred to as the "Local Academy Court Cost."

Section 13:- That the provisions of this ordinance are hereby declared to be severable. If any part, section, provision, sentence, clause or phrase, or the application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid for any reason, the remainder of the ordinance shall remain in full force and effect and its validity shall not be impaired, it being the legislative intent now hereby declared that the ordinance would have been adopted even if such invalid matter had not been included or if such invalid application had not been made.

Section 14:- That is ordinance shall be in effect from and after July 1, 2004.

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Form and Correctness Approved:

By Daniel B. Hacemista
Office of the City Attorney

NORFOLK, VIRGINIA

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

Contents Approved:

By Marcus Jones
DEPT.

\$ 97,290,000.00 CAPITAL PROJECTS FUND
Account 5/17/04
Director of Finance Date

ORDINANCE No. 41,409

R-6A

AN ORDINANCE APPROVING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE FISCAL YEAR 2004-2005, APPROPRIATING \$97,290,000 FOR CERTAIN PROJECTS APPROVED THEREIN, AUTHORIZING AN ISSUE OF BONDS IN THE AMOUNT OF \$99,405,000 AND THE EXPENDITURE OF \$3,935,000 IN CASH THEREFOR AND AUTHORIZING THE UNDERTAKING OF CERTAIN APPROVED PROJECTS.

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WHEREAS, the City Manager on April 27, 2004, submitted to the City Council a Capital Improvement Program Budget for the City for the fiscal year beginning July 1, 2004, and ending on June 30, 2005; and

WHEREAS, City Council on April 13, 2004, increased the fiscal year 2003-2004 Capital Improvement budget by \$4,050,000 for Selden Arcade Renovations and \$2,000,000 for Lamberts Point Golf Course; and

WHEREAS, it is necessary to appropriate sufficient funds to cover the approved capital projects set forth in the Capital Improvement Program Budget and to authorize said projects; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the capital projects set forth below in the Capital Improvement Program for the fiscal

year July 1, 2004, to June 30, 2005, submitted by the City Manager under date of April 27, 2004, are hereby approved and the amounts herein set forth aggregating \$97,290,000 or so much thereof as may be necessary, as set forth in the Capital Improvement Program Budget for the fiscal year July 1, 2004, to June 30, 2005, are hereby appropriated for the purposes hereinafter set out in the following sub-paragraphs:

A. General Capital Improvement Projects Fund

1. High School Athletic Field	2,700,000
2. Public High School Construction (Norview)	\$ 2,689,000
3. 43 rd Street Extension	2,466,000
4. 4 th View and Ocean View Corridor Improvements	100,000
5. Bridge Replacement and Major Repair	1,125,000
6. Citywide Conduit Network	85,000
7. Overhead Sign Structure Maintenance	50,000
8. Shore Drive Intersection	100,000
9. Signal and Intersection Enhancements	400,000
10. VDOT Urban Project Support	350,000
11. Virginia Beach Boulevard - Turn Lane Improvements	50,000
12. Atlantic City/Fort Norfolk	250,000
13. Berkley Shopping Center	250,000
14. Hampton Boulevard Improvements	1,595,000
15. Neighborhood Commercial Area Improvements	550,000
16. Norfolk Heritage Information Graphics	175,000
17. Tidewater/Sewells Point Infrastructure Upgrades	100,000

18. Chrysler Hall Lighting Controls	125,000
19. Chrysler Hall Restrooms	50,000
20. Chrysler Hall Sound System	125,000
21. Chrysler Museum Capital Campaign Match	1,000,000
22. Chrysler Museum Façade	75,000
23. Nauticus Maritime Center - Exhibit Development	250,000
24. SCOPE Renovations	1,000,000
25. Acquisition of Church Street Triangle Properties	240,000
26. Bridge Minor Repair and Maintenance Program	400,000
27. Broad Creek Neighborhood Plan	1,250,000
28. Citywide Soundwall Program	1,858,000
29. Downtown Plaza & Vicinity Master Plan	100,000
30. Fairmount Park Beautification Study	75,000
31. Fairmount Park/Lafayette Blvd. Neighborhood Plan	250,000
32. Greater Wards Corner Neighborhood Plan	5,500,000
33. Hague Promenade Pedestrian Safety Enhancements	50,000
34. Homerama	75,000
35. Hampton Boulevard Edge Management	150,000
36. John T. West School Demolition	150,000
37. Neighborhood Conservation/ Revitalization Project	4,000,000
38. Neighborhood Resource Ctr. - Campostella Heights	128,000
39. Neighborhood Streets Major Improvements	760,000

40. Neighborhood Studies	150,000
41. Neighborhood Streets, Sidewalks and Walkways Repairs	500,000
42. Residential Gateway Projects	100,000
43. Southside Neighborhood Plan	250,000
44. Street Light Improvements	100,000
45. Waterway Dredging Projects - Citywide	675,000
46. Wilson Road Corridor Study	75,000
47. Asbestos Operations and Maintenance Program	100,000
48. Berkley Early Childhood Center Drop-off Lane	75,000
49. Civic Center HVAC Control Improvements	100,000
50. Conference Center	2,200,000
51. Fire Station Emergency Generation Program	150,000
52. Firearms Training Facility Replacement	225,000
53. General Office Renovations	500,000
54. HVAC Improvements to Dormitory Public Safety Building	55,000
55. Jail Shower Renovation	50,000
56. Library Facilities - Anchor Branch Library	1,115,000
57. New Court Complex	750,000
58. Police Precinct Replacement	3,000,000
59. Roof Repair and Moisture Protection Program	500,000
60. Waterside Convention Center Application	195,000
61. Botanical Gardens - Children's Garden	800,000

506 - Capital Improvement Ordinance

62. Colonial Way Greenway Space	50,000
63. Community and Neighborhood Park Improvements	155,000
64. Existing Recreational Centers - General Improvements	100,000
65. Fergus Reid Tennis Courts/Park	55,000
66. Lamberts Point Community Center	50,000
67. Lamberts Point Golf Course	3,000,000
68. Poplar Halls Park	50,000
69. Soccer Field Renovations	150,000
70. Tarrellton Softball Field Lighting Upgrades	60,000
71. Zoo Development Phase II	100,000
72. ADA Master Plan - Citywide	100,000
73. Beach Erosion Control	3,300,000
74. Brand Expansion & Wayfinding System	100,000
75. Cruise Terminal Development	8,500,000
76. Lamberts Point Landfill Erosion Mitigation	50,000
77. Military Highway Study	174,000
78. Planned Land Acquisition	1,000,000
79. Preliminary Engineering	1,135,000

B. WATER UTILITY FUND

80. Distribution Mains	9,550,000
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81. Raw Water Pipelines	750,000
82. Safe Drinking Water Act Response	200,000
83. SCADA/Network Upgrades	350,000
84. Security/Vulnerability	500,000
85. Western Branch PS backup Power	3,000,000
C. <u>WASTEWATER UTILITY FUND</u>	
86. City SSES Projects, Planning And Pilot Testing	500,000
87. Wastewater Collection System Improvements	14,530,000
88. Wastewater Pump Station & Force Main Improvements	1,970,000
D. <u>STORM WATER UTILITY FUND</u>	
89. Bulkheading Master Project	500,000
90. Neighborhood Flood Reduction Projects	550,000
91. Storm Water Quality Improvements	300,000
92. Storm Water System Improvements	650,000
E. <u>PARKING FUND</u>	
93. New Garage or Replacement Of an Outdated Facility	<u>\$ 3,500,000</u>
Total	<u>\$ 97,290,000</u>

Section 2:- That in order to provide the funds heretofore appropriated, cash in the aggregate principal sum of \$3,935,000 of which \$3,385,000, is under General Capital Improvement Projects Fund; \$550,000, is under Water Utility Fund Projects is hereby authorized to be expended; and bonds of the City of Norfolk in the aggregate principal sum of \$99,405,000, of which \$63,105,000, are under General Capital Improvement Projects; \$2,000,000, are under Storm Water Utility Projects; \$13,800,000, are under Water Utility

Fund Projects; and \$17,000,000, are under Wastewater Utility Fund Projects, \$3,500,000 are under Parking Facilities Fund, are hereby authorized to be issued from time to time in such form and with such terms as shall be established pursuant to future ordinances.

The total amount of funds appropriated herein (\$103,340,000) supports capital projects for fiscal year 2004-2005 in addition to the Selden Arcade project and Lamberts Point Golf Course project from the 2003-2004 Capital Improvement Program.

Section 3:- That the Council reasonably expects to reimburse the expenditures made from the General Capital Improvement Projects Fund, Wastewater Utility Fund, Storm Water Utility Fund, Water Utility Fund and the Parking Facilities Fund to interim finance the City's Capital Improvement Program with the proceeds of debt to be incurred by the City.

Section 4:- That this ordinance represents a declaration of "official intent" under Treasury Regulations Section 1.150-2(e).

Section 5:- That the expenditures to be reimbursed will be paid from the following funds, which funds have the following general functional purposes:

(a) General Capital Improvement Projects Fund. Used to account for the financial resources used to finance general capital improvement projects in the Capital Improvement Program other than those financed by the City's enterprise funds or special revenue fund;

(b) Storm Water Utility Fund. Used to account for the City's environmental storm water operations including accounting for the financial resources used to finance capital projects in the Capital Improvement Program related to the environmental storm water utility;

(c) Water Utility Fund. Used to account for the City's water utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Program related to the water utility; and,

(d) Wastewater Utility Fund. Used to account for the City's wastewater utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Program related to the wastewater utility; and

(e) Parking Facilities Fund. Used to account for the City's parking facility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Program related to parking facilities.

Section 6:- That the Council expects to cause the City to issue debt in fiscal year 2004 in the maximum amount of \$66,490,000, to finance projects in the General Capital Improvement Projects Fund, \$2,000,000, to finance projects in the Storm Water Utility projects, and \$17,000,000, to fund projects in the Wastewater Utility Fund.

Section 7:- That the appropriate officers or agents of the City are authorized and directed to file a certified copy of this ordinance with the Circuit Court of the City pursuant to Sections 15.2-2607 and 15.2-2627 of the Virginia Code.

Section 8:- That the City Manager, unless otherwise directed by City Council, is hereby authorized to do all things necessary to implement the projects set forth in this Capital Improvement Program Budget.

Section 9:- That this ordinance shall be in effect from and after July 1, 2004.